

AGENDA MEMO

CITY COUNCIL MEETING OF: AUGUST 5, 2009

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: RQR-34410 - APPLICANT: PEYMAN MASACHI - OWNER:
RANCHO ALLEN, LLC**

**** CONDITIONS ****

The Planning Commission (5-0 vote) and staff recommend APPROVAL, subject to conditions.

Planning and Development

1. This Special Use Permit shall be reviewed in three (3) year(s) at which time the City Council may require the Off-Premise Advertising (Billboard) Sign be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the Off-Premise Advertising (Billboard) Sign is removed.
2. The Off-Premise Advertising (Billboard) Sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the Off-Premise Advertising (Billboard) Sign.
3. The property owner shall keep the property properly maintained and graffiti-free at all times. Failure to perform required maintenance may result in fines and/or removal of the Off-Premise Advertising (Billboard) Sign.
4. If the existing off-premise sign is voluntarily demolished, this Special Use Permit shall be expunged and a new off-premise sign shall not be permitted in the same location unless a Special Use Permit is approved for the new structure by the City Council.
5. The two remaining Off-Premise Advertising (Billboard) Signs shall be removed upon the issuance of any grading permit for the site.
6. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This application is in response to a Required Review of an approved Special Use Permit (U-0080-96) which allowed two (2) 40-foot tall, 14-foot x 48-foot Off-Premise Advertising (Billboard) Signs adjacent to the east side of Rancho Drive, south of Coran Lane. If this request is denied, the subject sign must be removed and Special Use Permit (U-0080-96) will be expired.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc and Property Sales</i>	
02/18/87	The City Council approved a Variance (V-0012-87) for an Off-Premise (Billboard) Sign. The Zoning Board of Adjustment recommended approval on 02/26/87.
09/18/96	The City Council approved a Special Use Permit (U-0080-96) for an Off-Premise (Billboard) Sign. The Zoning Board of Adjustment recommended approval on 08/27/96.
11/07/01	The City Council approved a Required Five-Year Review [U-0080-96(1)] of the Special Use Permit (U-0080-96) which allowed the four Off-premises Advertising (Billboard) Signs on this site subject to a two-year review. The Planning Commission and staff recommended approval on 09/20/01.
03/02/05	The City Council approved a request for a Required Two-Year Review (RQR-5741) of an approved Special Use Permit (U-0080-96) which allowed four (4) 40-foot tall, 14-foot x 48-foot Off-premises Advertising (Billboard) Signs. The Planning Commission recommended approval of the request.
06/06/07	The City Council approved a request for a Required Two-Year Review (RQR-18896) of an approved Special Use Permit (U-0080-96) which allowed four (4) 40-foot tall, 14-foot x 48-foot Off-premises Advertising (Billboard) Signs. The Planning Commission recommended approval of the request.
06/25/09	The Planning Commission voted 5-0 to recommend APPROVAL (PC Agenda Item #8/jb).
<i>Related Building Permits/Business Licenses</i>	
12/12/96	A building permit (#96024465) was issued for a double-sided 40-foot tall, 14-foot x 48-foot Off-Premise Advertising (Billboard) Sign at 1998 North Rancho Drive. A 225 Final Sign Inspection was completed on 01/21/97.
	A building permit (#96024466) was issued for a double-sided 40-foot tall, 14-foot x 48-foot Off-Premise Advertising (Billboard) Sign at 1852 North Rancho Drive. A 225 Final Sign Inspection was completed on 01/21/97.
<i>Pre-Application Meeting</i>	
A pre-application meeting is not required for this request, nor was one held.	
<i>Neighborhood Meeting</i>	
A neighborhood meeting is not required for this request, nor was one held.	

Field Check	
05/21/09	During a routine site inspection Staff observed a well maintained Off-Premise Sign (Billboard).

Details of Application Request	
Site Area	
Gross Acres	22.06

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	SC (Service Commercial)	C-2 (General Commercial)
North	Casino	Not Available – North Las Vegas	C-2 (General Commercial) - North Las Vegas designation
South	Residential Manufactured Home Park	SC (Service Commercial)	H-2 (General Highway Frontage) - Clark County designation
East	Single Family Residences	R (Rural Density Residential)	R-E (Residence Estates)
		M (Medium Density Residential)	R-4 (High Density Residential)
West	Apartments	M (Medium Density Residential)	C-2 (General Commercial)
	Commercial	GC (General Commercial)	

Special Districts/Zones	Yes	No	Compliance
Special Area Plan			
West Las Vegas Plan	X		Y
Special Districts/Zones	Yes	No	Compliance
Special Purpose and Overlay Districts			
A-O (Airport Overlay) District – 70 Feet	X		Y
Trails	X		Y
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

DEVELOPMENT STANDARDS

Standards	Code Requirement	Provided	Compliance
Location	No Off-Premise Sign may be located within public right-of-way. May not be located within the Off-Premise Sign Exclusionary Zone except in exempted areas.	Sign is not located within a public right-of-way or the Off-Premise Sign Exclusionary Zone	Y
Zoning	Off-Premise Signs are permitted in C-1, C-2, C-M, and M zoning districts only	Sign is in C-2 (General Commercial) Zoning District	Y
Area	No Off-Premise Sign shall have a surface area greater than 672 square feet, except that an embellishment of not to exceed five feet above the regular rectangular surface of the sign may be added if the additional area contains no more than 128 square feet.	Both signs have a surface area of 672 square feet	Y
Height	No higher than 40 feet from grade at the point of construction: may be raised to a maximum of 55 feet with approval of the City Council if significantly obscured from view of travel lanes.	The signs are 40 feet tall	Y
Screening	All structural elements of an Off-Premise Sign to which the display panels are attached shall be screened from view.	The structural screening of the Off-Premise Sign does not require repainting to match the structural supports.	Y
Off-Premise Sign (Billboard)	At least 750 feet to another Off-Premise Sign along US-95 or at least 300 feet to another Off-premise Sign (if not along US-95)	400 feet to another Off Premise Sign; 680 feet between subject signs	Y
Off-Premise Sign (Billboard)	At least 300 feet to the nearest property line of a lot in any "R" or U" zoned districts.	670 feet from existing "R" zoned property.	Y

Other	All Off-Premise Signs shall be detached and permanently secured to the ground and shall not be located on property used for residential purposes.	The billboard is permanently secured to the ground on C-2 zoned property.	Y
-------	---	---	---

ANALYSIS

This is the fourth review of the subject Special Use Permit (U-0080-96) which allowed two (2) 40-foot tall, 14-foot x 48-foot Off-Premise Advertising (Billboard) Signs adjacent to the east side of Rancho Drive, south of Coran Lane. A building permit for the subject sign was issued on 12/12/96. During a field check of the site, staff found the sign and supporting structure in good condition. There has been no significant change in development or land use since the installation of the sign. Therefore, staff is recommending approval of the subject Required Review.

FINDINGS

The sign is located in a C-2 (General Commercial) zoning district and is not within the Off-Premise Sign Exclusionary zone. Since the area surrounding the sign has not experienced any significant development or land use changes, staff recommends approval of this review, subject to a required review in three years.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

9

ASSEMBLY DISTRICT 6

SENATE DISTRICT 4

NOTICES MAILED 472 by City Clerk

APPROVALS 0

PROTESTS 3